

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Paul VERMEIJ	:	
	:	Examiner: Rodney P. Swartz
Serial No.: 10/587,067	:	
	:	Group Art Unit: 1645
Filed: November 5, 2008	:	
	:	Confirmation No.: 1685
For: LAWSONIA INTRACELLULARIS	:	
SUBUNIT VACCINES	:	Date: October 28, 2011
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Mail Stop: PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT

Sir/Madam:

Applicant requests reconsideration of the patent term adjustment indicated in the Determination of Patent Term Adjustment under 35 U.S.C. 154(b) that accompanied the Issue Notification dated September 7, 2011. Applicant has determined that the patent term adjustment should be 799 days, rather than the 795 days indicated.

The Commissioner is hereby authorized to debit the fee under 37 C.F.R. 1.18(e) to Deposit Account number 13-2755.

Applicant's determination is detailed in Appendix A, the AIPA Term Calculation Report, submitted herewith. Applicant respectfully submits that the Patent Term Adjustment Calculation made by the Office was, due to a clerical error, based on an incorrect Commencement Date. The correct Commencement Date is July 20, 2006, as shown in the Bibliographic Data obtained from PAIR, a copy of which is submitted herewith as Appendix B. The incorrect date used for calculating the Patent Term Adjustment was July 24, 2006, as shown in the Patent Term Adjustments report obtained from PAIR, a copy of which is submitted herewith as Appendix C.

U.S. Application No. 10/587,067
Request for Reconsideration of Patent Term Adjustment, submitted October 28, 2011

Applicant respectfully requests that the patent term adjustment be recalculated and the full term adjustment of 799 days be applied to U.S. Patent No. 8,025,884 that issued September 27, 2011.

Applicant does not believe that any other fee is due in connection with this filing. If, however, Applicant does owe any such fee(s), the Commissioner is hereby authorized to charge the fee(s) to Deposit Account No. 13-2755. In addition, if there is ever any other fee deficiency or overpayment under 37 C.F.R. §1.16 or 1.17 in connection with this patent application, the Commissioner is hereby authorized to charge such deficiency or return such overpayment to Deposit Account No. 13-2755.

As the error in the Patent Term Adjustments resulted from a clerical error in the Office, if permissible within the rules, Applicant requests that the fee under 37 C.F.R. 1.18(e) be waived or returned to Deposit Account No. 13-2755.

Respectfully submitted,

/William M. BLACKSTONE/
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Dated: **October 28, 2011**
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